

REMARKS

Claim 9 has been amended by this Preliminary Amendment to place an upper limit of 1% on the amount of the aluminum oxide as disclosed in Example 15 and to introduce the range of barium oxide from claim 10. It is believed that these amendments distinguish the claimed subject matter from the disclosures of the cited references.

The Morgan et al. patent in Example A discloses a glass that contains 1.5% of aluminum oxide. Thus, the glass as defined by the amended claims differs from the glasses disclosed by Morgan et al. in that it has less aluminum oxide and does not exhibit changes in refractive index under certain conditions. The Morgan et al. patent does not suggest using less than 1.5% of aluminum oxide in a glass composition.

Faulstich et al. disclose the use of 13.6% of BaO which is excluded by the amended range of 0-5% in amended claim 9. Thus, the glass of the present invention which has a stable refractive index, is not made obvious by the Faulstich et al. patent.

An early and favorable action is earnestly solicited.

Respectively submitted,



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